

DATE 8/27/07 APPLICATION NUMBER 10/752625
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OFFICE OF PETITIONS

ROBERT C. MONTGOMERY
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In re Application of
Edwin K. Shinault
Application No. 10/752,625
Filed: January 8, 2004
Attorney Docket No. RCM-042307SAI-1

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-identified application, filed April 23, 2007.

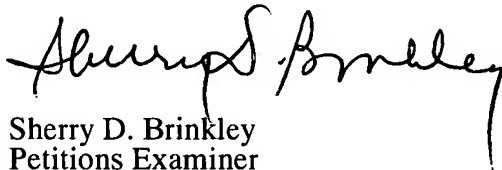
The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue fees on or before April 24, 2006, as required by the Notice of Allowance and Fee(s) Due, mailed January 23, 2006. A Notice of Abandonment was mailed on June 8, 2006. On April 23, 2007, the present petition was filed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that the petitioner has supplied (1) reply in the form of payment of the issue fee of \$700; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay¹.

The application is being referred to the Office of Publications to be processed into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (571) 272-4200.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ 37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. While the statement is not made by an attorney of record at the time of abandonment, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.